

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EK102717091US, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: October 17, 2001

Signature:

*Staci Harris*  
(Staci Harris)

#3  
Rec'd PCT/PTO 17 OCT 2001

Docket No.: HO-P02232US0  
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Gustav Levander, et al.

Application No.: 09/889,772

Group Art Unit: N/A

Filed: July 20, 2001

Examiner: Not Yet Assigned

For: MATERIALS FOR PACKAGING NICOTINE-  
CONTAINING PRODUCTS

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed August 27, 2001, Applicant respectfully submits a Declaration, a Power of Attorney, and an Assignment.

Our check (No. 60549) in the amount of \$40.00 covering the fee set forth in 37 CFR 1.21(h) is enclosed. The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. 10105701. A duplicate copy of this paper is enclosed.

Dated: October 17, 2001

Respectfully submitted,

*Melissa W. Acosta*  
By  
Melissa W. Acosta

Registration No.: 45,872  
FULBRIGHT & JAWORSKI L.L.P.  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
(713) 651-5407  
(713) 651-5246



10/18/01

JCO Rec'd PCT/FTO

17 OCT 2001

Please type a plus sign inside this box → +

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/889,772

Filing Date

July 20, 2001

First Named Inventor

Gustav Levander et al.

Group Art Unit

N/A

Examiner Name

Not Yet Assigned

Attorney Docket Number

P02232US0 (10105701)

### ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment/Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below)

Declaration  
Assignment Recordation  
Check No. 60549 for \$40.00  
Return Postcard

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual Name

FULBRIGHT & JAWORSKI L.L.P.  
Melissa W. Acosta

Signature

Date

October 17, 2001

#### Transmittal

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EK102717091US, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: October 17, 2001

Signature: (Staci Harris)



Rec'd PCT/PTO 17 OCT 2001

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$ 40.00)

## Complete if Known

Application Number	09/889,772
Filing Date	July 20, 2001
First Named Inventor	Gustav Levander
Examiner Name	Not Yet Assigned
Group Art Unit	N/A
Attorney Docket No.	HO-P02232US0

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **06-2375**

Deposit Account Name **Fulbright & Jaworski, L.L.P.**

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed

Check  Credit Card  Money Order  Other

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
105	130	205	65
127	50	227	25
139	130	139	130
147	2,520	147	2,520
112	920*	112	920*
113	1,840*	113	1,840*
115	110	215	55
116	400	216	200
117	920	217	460
118	1,440	218	720
128	1,960	228	980
119	320	219	160
120	320	220	160
121	280	221	140
138	1,510	138	1,510
140	110	240	55
141	1,280	241	640
142	1,280	242	640
143	460	243	230
144	620	244	310
122	130	122	130
123	50	123	50
126	180	126	180
581	40	581	40
146	740	246	370
149	740	249	370
179	740	279	370
169	900	169	900
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (2) (\$ 0.00)		SUBTOTAL (3) (\$ 40.00)	

\*\*or number previously paid, if greater; For Reissues, see above

## SUBMITTED BY

Complete (if applicable)

Name (print/type)	Melissa W. Acosta	Registration No. (Attorney/Agent)	45,872	Telephone	(713) 651-5407
Signature				Date	October 17, 2001

## Fee Transmittal

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EK102717091US, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: October 17, 2001

Signature:

(Staci Harris)

MELISSA W ACOSTA  
FULBRIGHT & JAWORSKI  
1301 MCKINNEY SUITE 5100  
HOUSTON, TX 77010 3095

SEP 05 2001

Docket: *PO2232USO*  
Client: *Phoenix AB*  
Attorney: *MINA*

PCT/SE00/00017

I.A. FILING DATE

12 JAN 00

PRIORITY DATE

26 JAN 99

DATE MAILED *27 AUG 2001*

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as  a Designated Office (37 CFR 1.494)  an Elected Office (37 CFR 1.495):
  - U.S. Basic National Fee.
  - Copy of the international application.
  - Oath or Declaration of inventors(s).
  - Copy of Article 19 amendments.
  - Priority Document.
  - The International Preliminary Examination Report in English and its Annexes, if any.
  - Translation of Annexes to the International Preliminary Examination Report into English.
  - Indication of Small Entity Status.
  - Translation of the international application into English.
  - Translation of Article 19 amendments into English.
  - Other:
2.  Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
  - U.S. Basic National Fee.
  - Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
  - Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5.  Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:  PCT/DO/EO/917  
 PTO-875

Notice of Defective Translation  
 PCT/DO/EO/920

Barbara Campbell